

Michelle's Law

This federal law has been adopted into all health care plans effective July 1, 2010. Michelle's Law is named for Michelle Morse, a full-time college student who while attending college in New Hampshire was diagnosed with cancer. Michelle retained her full-time student status to keep her health care coverage, through her parent's health plan, while undergoing chemotherapy treatments. Although Michelle lost her battle with cancer, the state of New Hampshire passed legislation protecting students in the future from having to choose between having or not having health care coverage while seriously ill. At the time of Michelle's diagnosis her parent's health care plan required dependent students to be between the ages of 19 and 24. Following New Hampshire's passage of their legislation many other states also passed similar legislation and President Bush on October 9, 2009, signed H.R. 2851 into law.

Michelle's Law provides full-time college students to take up to 12 months off for a medically necessary leave of absence or to change from a full-time student to a part-time student without being dropped as a dependent on their parent's health care plan. The leave of absence, reduction in course work, or change in student status must be medically necessary as determined by the student's physician, commence while the student is suffering from a serious illness or injury, and would be reason for the student to otherwise lose health care coverage. A physician's documentation is required.

When a dependent child turns 24, he/she no longer is eligible to be covered through the State's group health insurance plan.

Additional information on Michelle's Law is provided in the BCBSD's Summary Plan Description for each health care plan located at <http://ben.omb.delaware.gov/medical/bcbs/index.shtml> and in Aetna's Summary Plan Description located at <http://ben.omb.delaware.gov/medical/aetna/index.shtml>

For further assistance contact:
Statewide Benefits Office at 1-800-489-8933 or 739-8331
BCBSD's Customer Services at 1-800-633-2563 or 429-0260
Aetna's Customer Services at 1-877-542-3862